

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.: 09/891,774)	Confirmation No. 2703
)	
Filed: June 26, 2001)	This Notice of Appeal is being electronically filed
)	with the USPTO's EFS-WEB, on this date, October
Applicant(s): Black et al.)	23, 2006.
)	
Title: Auto Rack Railway Car)	
)	
Art Unit: 3683)	
)	
Examiner: Rodriguez, Pamela)	
)	
Attorney Docket No.: 70255)	
)	
Customer No.: 22242)	

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated April 21, 2006 rejecting claims 45-64.

- The fee for this Notice of Appeal is \$ 500.00 (37 CFR §41.20(b)(1)).
- Charge \$ 500.00 to Deposit Account No. 06-1135.

Application No. 09/981,774
Notice of Appeal dated October 23, 2006
Reply to the Office action of April 21, 2006

The Commissioner is hereby authorized to charge any additional fees which may be required in connection with this appeal (specifically including the fee for filing a brief in support of this appeal if such brief is filed unaccompanied by full payment therefore, and the fee for filing a request for an oral hearing if such request is made unaccompanied by full payment therefore), or credit any overpayment to Deposit Account No. 06-1135.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

Date: October 23, 2006

s/Jon A. Birmingham/
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